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Briefer: Sean McCormack, Spokesman

QUESTION: The European Union says they're going to look into the allegations that the CIA had set up secret jails in Eastern Europe and I was wondering whether the State Department is going to cooperate with their work.

MR. MCCORMACK: Well, I have seen that same news report. We have not, at the State Department, received any requests at this point from the European Commission, European Union, on this matter. If we do receive such a request, I am sure that we will take a close look at it. But at this point, we have not received such a request.

QUESTION: Is the International Red Cross welcome to see any detainees that the U.S. Government may be responsible for around the world?

MR. MCCORMACK: Well, the ICRC, of course, has the opportunity for continuous presence at Guantanamo Bay. They have a longstanding presence there and they have the opportunity to be there on a continuous, 24-hour-a-day/7-day-a-week basis and we work closely with the ICRC on Guantanamo Bay. We also work very closely with the ICRC in trying to address any other questions that they may have. The Department of Defense and the ICRC, I think, have had a long and good working relationship. And in terms of the description of cooperation in particular areas, whether that's Guantanamo or elsewhere with the ICRC, I think the Department of Defense is in the best position to respond to those questions.

QUESTION: I was actually asking just a very general question, worldwide I said, and you cited one example, Guantanamo. Just as a principle, is the Red Cross welcome to be at any facility that the United States may have where there are detainees in the world?

MR. MCCORMACK: You know, again, the Department of Defense, as I said, works closely with the ICRC on the issue of detainees. And you know, I expect that that cooperation will continue wherever DOD and the ICRC are able to -- well, wherever DOD has detainees that are covered by treaties in which the ICRC would have a role in monitoring their activities.

QUESTION: So it's only those who are covered by treaties, meaning the Geneva Convention and this Administration has said that in some circumstances, the Geneva Convention doesn't work. By that, I'm taking it that you're saying, no, they're not welcome at all facilities where there may be detainees. Is that right?

MR. MCCORMACK: Well, let's get to the issue that you're really getting at and these, I think -- correct me if I'm wrong -- yesterday there were reports -- there was a report in *The Washington Post* about making allegations about facilities where terrorist captives were held -- made clear at that point that those -- that those news reports talked about

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these detention facilities being run by the American intelligence community. With regard to those reports, I -- you know, again, I talked about them yesterday. I don't have anything to add to what I said yesterday concerning --

QUESTION: Well, that's not my question. You're just rephrasing my question. My question is about the principle because you are -- and the Secretary goes out and talks about championing human rights and democracy now. In light of the report, people wonder around the world about how much of a champion the United States is. So why don't you state a principle that most governments in the world would totally accept and be free from any spokesman's podium to say and that is: the ICRC can come into any detention facility that we run.

MR. MCCORMACK: Saul, the -- you know, our policy is to treat all detainees in accordance with international obligations and the principles of the Geneva Convention. We've talked about Guantanamo Bay and how detainees there are treated. It's a facility run by the Department of Defense.

More broadly, this is -- the question of how to deal with terrorist enemy combatants is a difficult issue. It is an issue that, you know, a variety of -- many different countries are trying to deal with. How do you deal with individuals and groups of people that abide by no laws, they abide by no regulations, they don't respect any treaties, their sole purpose and sole intent is to try to kill innocent civilians? So how do we, as a country of laws, a country that respects our international treaty obligations, how do we deal with those individuals?

We have talked a lot about our solutions to how to deal with those people so that once they are -- these people are no longer a threat to the American people that they are taken off the street, how do you deal with them? And the -- you can see at Guantanamo Bay our -- you know, our solution to that. We are continuously looking at, you know, this issue, how we're dealing with these individuals and how do -- how to fulfill the expectations of the American people to -- that their government is going to try to protect them, try to protect them within the confines of our laws, our Constitution and our international treaty obligations. That is the issue that we are dealing with.

We work very closely with the ICRC in -- as we fulfill our treaty obligations, as we treat enemy combatants consistent with our international treaty obligations. But this is not an issue that the United States deals with alone. It is an issue that European countries and other countries around the world deal with on a daily basis.

QUESTION: I still take that as a no, and you're saying you're not alone in dealing with this. Do any of your allies actually refuse to say that the ICRC is not welcome to go into any of its detention facilities?

MR. MCCORMACK: Well, you'd have to talk to those governments about their dealings with the ICRC.

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QUESTION: Sean, as you say, if the United States is a country of laws and respects laws, including international conventions, surely if these prisons did exist, you could acknowledge them and explain how they do conform with these laws.

MR. MCCORMACK: I talked about this yesterday. Steve Hadley talked --

QUESTION: But you didn't answer it yesterday.

MR. MCCORMACK: Steve Hadley talked about it yesterday at the White House as well. Inasmuch as there are these reports and inasmuch as they make allegations concerning classified information or potentially classified information, I certainly could not from the podium discuss anything that would be potentially classified. I'm not in a position to confirm or deny these reports. What I am trying to do is to provide a broader context to step back and to help the American public and foreign publics understand the issue with which we, as well as other countries, around the world are confronted and that is fundamentally how to deal with killers who respect no boundaries, no religion, no treaties, no laws. And how do we as a country of laws and a country of values that respects human life, how do we deal with this issue, while not losing our way, not betraying our values?

And we have seen the ways in which we have tried to address that issue -- we've seen it in Guantanamo Bay where -- and I think one of the sort of important elements of a democracy is that when there are questions raised about the government's policies, there are venues in which individuals, even these individuals which are being held at, you know, Guantanamo Bay who are there for a reason, have an ability to appeal. They appeal through the United States court system.

As a result of those appeals, the procedures at Guantanamo Bay were modified. So again, it's an issue that we, as a government and I think as a country, are continuously looking at to make sure that we come up with the best possible solution so that this government can fulfill the utmost mandate of any government and that is to protect the people of this country while respecting our laws, being true to our values, respecting our -- and doing that within the confines of those laws, that constitution and those treaty obligations which guide us.

QUESTION: Several countries were mentioned in these articles and have come out now and said that they do not have such facilities in their territory. Have any of these governments -- Poland, Romania, Russia -- come to you and said would you please be more specific and deny the reports that you have facilities in our countries?

MR. MCCORMACK: I checked on this before I came out, and the reports back that I have received is -- that the State Department has received -- has not received any queries or questions or demarches at this point concerning those news reports.

QUESTION: North Korea? Can we stay on (inaudible)?

MR. MCCORMACK: Sure.

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QUESTION: I have one more question, please.

MR. MCCORMACK: Yeah. Well, we'll go to Saul and then we'll come back to you.

QUESTION: The European Union was moved to say that they wanted to investigate the reports. Was the State Department moved to check with the CIA whether this report in *The Washington Post* was true or false?

MR. MCCORMACK: Saul, again, this gets back to the issue of yesterday's reports. And I, you know, tried to address this as in forthright a manner as I can. Inasmuch as those news reports yesterday and today refer to anything that may be potentially classified, I certainly am not at liberty -- would not be at liberty to discuss those things from the podium. I can only speak for the State Department. And in terms of what interactions we have had with foreign governments on this, as well as any other issues, in terms of questions for the intelligence community or the CIA, those are questions that have to be -- should be put to the CIA.

QUESTION: No, I wasn't asking whether it was true or false and for you to answer that. I was just asking about the interagency process. Did you approach the CIA and ask them?

MR. MCCORMACK: I'm not aware of any questions that we've put to them.

Yes. You had a follow-up on this.

QUESTION: Yes, a follow-up question. On the State Department, we understand you're not CIA, so you're pretty much far from the operational side of the war on terror around the world, where many help also, we should mention. But how concerned at the State Department level are you with those stories coming up in U.S. media being broadcast to the rest of the world, about the image of the United States, much more credible story coming from *The Washington Post* than, let's say, a Middle Eastern newspaper or an Asian newspaper over there. How concerned -- at your level, true or not, that's not an issue, but how concerned -- I mean, what can you do again here?

MR. MCCORMACK: Well, I certainly can't vouch for the credibility of *The Washington Post*. Look, these are reports that are out in the public. People certainly are discussing them as is evidenced by our conversation here today. I've talked to Karen Hughes about this issue, talked to a variety of different people in the Department. It is an issue that certainly we need to address. We try to address it in the best way that we possibly can, either here or at our posts abroad. Certainly, none of us here wish that we had to deal with the issue of fighting terrorism. We just wish that that weren't true, but it is a reality that we have to face.

And what we, here at the State Department, try to do is we try to explain as best we possibly can to the American public and foreign publics how it is the United States is approaching this issue and that is -- that is my interest. That is what Karen Hughes is focused on as well. And we try to get out the best possible information that we can out to

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our posts abroad so that they can engage foreign news media as well as foreign publics on the issue.

QUESTION: (Inaudible) position is to not say anything. How helpful is that?

MR. MCCORMACK: Well--

QUESTION: If it's not true, why can't you deny it?

MR. MCCORMACK: I think we've gone around on this issue. I don't -- and it's getting back to the same question in a different way and I don't have anything to add -- or anything new to add.

QUESTION: But if there is something -- if there are stories out that are damaging to the U.S. image, one of your jobs is to try to deflect that. And surely this story could be damaging to the U.S. image and you would want to stop that from happening, if you could.

MR. MCCORMACK: Part of -- I think our job here from this podium, as well as other places, is try to explain American policies, explain the views of the U.S. Government concerning U.S. policies, to explain the values that underpin those policies as best we can. You know, in terms of others' judgment on how we do that job, I leave that to others to assess. But, you know, our job here is to engage with the news media, engage with and through you, engage with publics around the world. And all we can do is try to talk about the world in which we live, how we have -- how we, working with others, are trying to address the challenges of the world in which we live and why it is that we take many of the actions that we do.

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